

**LPDES PERMIT NO. LA0114481, AI No. 83718**

**LPDES STATEMENT OF BASIS**  
**FOR THE DRAFT LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM**  
**(LPDES) PERMIT TO DISCHARGE TO WATERS OF LOUISIANA**

**Company/Facility Name:** LDH Energy Olefins LLC  
 Geismar Fractionation Plant  
 11135 Industriplex Blvd., Suite 1500  
 Baton Rouge, LA 70809

**Issuing Office:** Louisiana Department of Environmental Quality (LDEQ)  
 Office of Environmental Services  
 P. O. Box 4313  
 Baton Rouge, LA 70821-4313

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 Water Permits Division  
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**Date Prepared:** May 27, 2009

**I. Permit Action/Status:****Reason For Permit Action:**

The Department of Environmental Quality proposes to reissue a LPDES permit for a 5-year term following regulations promulgated at LAC 33:IX.2711/40 CFR 122.46.

In order to ease the transition from NPDES to LPDES permits, dual regulatory references are provided where applicable. The LAC references are the legal references while the 40 CFR references are presented for informational purposes only. In most cases, LAC language is based on and is identical to the 40 CFR language. 40 CFR Parts 401, 405-415, and 417-471 have been adopted by reference at LAC 33:IX.4903 and will not have dual references. In addition, state standards (LAC 33:IX Chapter 11) will not have dual references.

LAC 33:IX Citations: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX.

40 CFR Citations: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.4901, 4903, and 2301.F.

- A. NPDES permit - NPDES permit effective date: N/A  
 NPDES permit expiration date: N/A  
 EPA has not retained enforcement authority.

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- B. LPDES permit - Individual LPDES Permit  
 LPDES permit effective date: April 20, 2001  
 LPDES permit minor modification date: July 15, 2005  
 LPDES permit expiration date: April 19, 2006

C. Application received on October 21, 2005.

## II. Facility Information:

- A. Location - 10334 LA Highway 75 in Geismar, Ascension Parish  
 Latitude 30°13'08", Longitude 91°02'09"

### B. Applicant Activity -

According to the application, LDH Energy Olefins LLC, Geismar Fractionation Plant, is a gas plant that receives liquefied gas via two pipelines. The gas is routed to designated separation systems designed to fractionate and recover specific hydrocarbons.

The source of water supply for the facility is from a well. This facility uses an average of 58,300 gallons per day (GPD) of well water: 57,600 GPD for the reverse osmosis unit; 300 GPD for utility wash water; 200 GPD for the sanitary system; 200 GPD for general purpose usage.

Stormwater runoff is covered under this permit, and discharges do not come in contact with any chemicals, per the application.

Sanitary wastewater is discharged under this permit.

- C. Sources of technology based limits:  
 Current Permit (effective April 20, 2001)  
 General Rationale for Natural Gas Processing Plants and Compressor Stations (revised: January 7, 2004)  
 LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (USEPA)  
 LDEQ Sanitary Discharge General Permits  
 Current practices regarding treated sanitary wastewater discharges in individual permits.  
 Best Professional Judgment

- D. Fee Rate -
- i) Fee Rating Facility Type: Minor
  - ii) Complexity Type: II
  - iii) Wastewater Type: III
  - iv) SIC Code: 1321

- E. Continuous Facility Effluent Flow - 0 MGD

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**III. Receiving Waters: New River**

A. River Basin: Lake Pontchartrain, Subsegment No. 040404

B. Designated Uses:

The designated uses are primary contact recreation, secondary contact recreation, and fish and wildlife propagation.

**IV. Outfall Information:**

Outfall 001

A. Type of wastewater – the intermittent discharge of reverse osmosis unit flush water, utility wash water, and stormwater runoff from the main containment area (surrounding the turbine engines, reverse osmosis unit, and hot oil heater).

B. Location - at the point of discharge from the main containment area, prior to combining with waters of the New River, on the north side of the facility at Latitude 30°13'10", Longitude 91°02'17".

C. Treatment - None

D. Flow - Intermittent, 0.066 MGD

E. Receiving waters – New River via pipe.

F. Basin and Subsegment - Lake Pontchartrain Basin, Subsegment 040404

Outfall 002

A. Type of wastewater – the intermittent discharge of treated sanitary wastewater.

B. Location - at the point of discharge from the office sewage treatment plant, prior to combining with waters of the New River, on the northeast corner of the facility at Latitude 30°13'14", Longitude 91°02'13".

C. Treatment – extended aeration with chlorination.

D. Flow - Intermittent, 1,080 GPD

E. Receiving waters – New River via pipe.

F. Basin and Subsegment - Lake Pontchartrain Basin, Subsegment 040404

**V. Proposed Changes from Previous Permit:**

Summary of proposed changes from the current LPDES permit:

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Outfall 001

COD discharge limitations will be changed from "a 200 mg/L monthly average and a 300 mg/L daily maximum" to "a 125 mg/L daily maximum", in accordance with the General Rationale for Natural Gas Processing Plants and Compressor Stations (revised January 7, 2004).

Total Dissolved Solids (TDS), Chlorides, and Sulfates discharge limitations and monitoring requirements will be removed.

These discharge limitations and monitoring requirements were previously established because Subsegment 040404 was listed on the 303(d) List as impaired for TDS, Chlorides, and Sulfates. No TMDLs were completed at that time (2000). No actual effluent data was submitted by the applicant, for it was a proposed facility at that time. According to Appendix C of the 2004 LDEQ Water Quality Inventory Integrated Report (305(b)/303(d)), Subsegment 040404 was no longer considered to be impaired by LDEQ for TDS, Chlorides, and Sulfates, for new data showed attainment. More recent data or information was used to make this determination during the 2004 Integrated Report assessment process. TDS, Chlorides, and Sulfates are not listed as impairments on LDEQ's Final 2006 303(d) List. In addition to these parameters no longer considered to be impaired, DMR data from the effective date of the current LPDES permit to the end of 2008 has been reviewed. A total of 67 TDS samples, 34 Chlorides samples, and 32 Sulfates samples were taken (see Appendix B). A water quality screen for these parameters was performed in accordance with the LDEQ Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards Water Quality Management Plan Volume 3, Version 6, April 16, 2008 (see Appendix A). Using this DMR data to calculate a 95<sup>th</sup> percentile (Average Limit) and a 99<sup>th</sup> percentile (Maximum Limit) for each of these parameters (see Appendix B), the results were then screened against current water quality numerical criteria established for Subsegment 040404 (500 mg/L TDS, 250 mg/L Chlorides, and 75 mg/L Sulfates) (see Appendix A). This water quality screen was negative, indicating that water quality based limitations for all of these parameters are not needed at this time.

The regulations promulgated at LAC 33:IX.2707.L.1 states that except as provided in LAC 33:IX.2707.L.2 when a permit is renewed or reissued, interim limitations, standards or conditions must be at least as stringent as the final limitations, standards, or conditions in the previous permit (unless the circumstances on which the previous permit was based have materially and substantially changed since the time the permit was issued and would constitute cause for permit modification or revocation and reissuance under LAC 33:IX.2903). One exception (LAC 33:IX.2707.L.2.a.ii.(a)) is if information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of a less stringent effluent limitation at the time of permit issuance.

LDEQ has determined that Appendix C of the 2004 LDEQ Water Quality Inventory Integrated Report (305(b)/303(d)) and the results of this water quality screen qualify as new information under LAC 33:IX.2707.L.2.a.ii.(a). Based upon the results from this new information, LDH Energy Olefins LLC, Geismar Fractionation Plant was not determined to discharge at a level which would cause, have the reasonable potential to cause or contribute to further TDS, Chlorides, and/or Sulfates degradation in the receiving waters.

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Therefore, no discharge limitations and/or monitoring requirements have been placed in the proposed permit for TDS, Chlorides, and/or Sulfates.

Outfall 002

For all effluent characteristics, we will change all discharge limitations from a "weekly average" to a "daily maximum", in accordance with new practices regarding treated sanitary wastewater discharges from non-POTWs in individual permits (per LAC 33:IX.2709.D).

**VI. Permit Limit Rationale:**

The following section sets forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit.

- A. **Outfall 001** – the intermittent discharge of reverse osmosis unit flush water, utility wash water, and stormwater runoff from the main containment area (surrounding the turbine engines, reverse osmosis unit, and hot oil heater).

Utility wash water (for the purpose of this permit) is defined as wash wastewater that includes, but is not limited to, potable water used to hose down or wash off equipment, repair areas, uncontaminated tanks and vessels, warehouse floors, and storage areas. This wastewater must not contain any soaps and/or detergents.

These discharges shall be limited and monitored by the permittee according to the following schedule:

<u>PARAMETER</u>	<u>MONTHLY AVERAGE</u>	<u>DAILY MAXIMUM</u>	<u>MONITORING FREQUENCY</u>
Flow	Report (MGD)	Report (MGD)	1/month
TOC	NA	50 mg/L	1/3 months
Oil & Grease	NA	15 mg/L	1/3 months
COD	NA	125 mg/L	1/3 months
TSS	30 mg/L	45 mg/L	1/month
Total Recoverable Iron	NA	Report (mg/L)	1/3 months
pH	6.0 – 9.0 s.u. (Min – Max)		1/month

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**Site-Specific Consideration(s)**

**Flow** - Established in accordance with LAC 33:IX.2707.1.1.b. Flow shall be estimated. The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**TOC** - Effluent limitations are established in accordance with BPJ, the previous permit, existing permits for similar outfalls, General Rationale for Natural Gas Processing Plants and Compressor Stations (revised January 7, 2004), and LDEQ Stormwater Guidance [letter dated June 17, 1987 from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6)]. The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**Oil and Grease** - Effluent limitations are established in accordance with BPJ, the previous permit, existing permits for similar outfalls, General Rationale for Natural Gas Processing Plants and Compressor Stations (revised January 7, 2004), and LDEQ Stormwater Guidance [letter dated June 17, 1987 from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6)]. The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**COD** - Effluent limitations are established in accordance with BPJ and the General Rationale for Natural Gas Processing Plants and Compressor Stations (revised January 7, 2004). The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**TSS** - Effluent limitations are established in accordance with BPJ, the previous permit, and the General Rationale for Natural Gas Processing Plants and Compressor Stations (revised January 7, 2004). The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**Total Recoverable Iron** - Reporting requirements are established in accordance with BPJ and the previous permit. The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**pH** - Effluent limitations are established in accordance with LAC 33:IX.1113.C.1, BPJ, the previous permit, existing permits for similar outfalls, General Rationale for Natural Gas Processing Plants and Compressor Stations (revised January 7, 2004), and LDEQ Stormwater Guidance [letter dated June 17, 1987 from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6)]. Report both the minimum and maximum instantaneous pH values measured. The units for pH (s.u.) are standard units. The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**Water Treatment Additives** - The quantity and types of all coagulants (clarifying agents) used in the potable water treatment plant during the sampling month shall be recorded. Records of the quantity and type of coagulants (clarifying agents) used shall be retained for three (3) years (following Part III.C.3.). No DMR reporting shall be required for this activity.

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**B. Outfall 002** - the intermittent discharge of treated sanitary wastewater.

This discharge shall be limited and monitored by the permittee according to the following schedule:

<u>PARAMETER</u>	<u>DAILY MAXIMUM</u>	<u>MONITORING FREQUENCY</u>
Flow	Report (GPD)	1/6 months
BOD <sub>5</sub>	45 mg/L	1/6 months
TSS	45 mg/L	1/6 months
Fecal Coliform	400 colonies/ 100 ml	1/6 months
pH	6.0 - 9.0 s.u. (Min - Max)	1/6 months

**Site-Specific Consideration(s)**

**Flow** - Established in accordance with LAC 33:IX.2707.I.1.b. Flow shall be estimated. The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**BOD<sub>5</sub>** - Effluent limitations are established in accordance with LAC 33:IX.711 or 709.B, by BPJ utilizing the sanitary general permits issued by this Office, and the Louisiana Water Quality Management Plan, Volume 8, Appendix A (Areawide Policies), as applicable. Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which expresses BOD<sub>5</sub> and TSS in terms of concentration. The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**TSS** - Effluent limitations are established in accordance with LAC 33:IX.711 or 709.B, by BPJ utilizing the sanitary general permits issued by this Office, and the Louisiana Water Quality Management Plan, Volume 8, Appendix A (Areawide Policies), as applicable. Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which expresses BOD<sub>5</sub> and TSS in terms of concentration. The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**Fecal Coliform** - Effluent limitations are established in accordance with LAC 33:IX.711 or 709.B, by BPJ utilizing the sanitary general permits issued by this

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Office, and the Louisiana Water Quality Management Plan, Volume 8, Appendix A (Areawide Policies), as applicable. The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

**pH** - Effluent limitations are established in accordance with LAC 33:IX.1113.C.1, by BPJ utilizing the sanitary general permits issued by this Office, and the Louisiana Water Quality Management Plan, Volume 8, Appendix A (Areawide Policies), as applicable. Report both the minimum and maximum instantaneous pH values measured. The units for pH (s.u.) are standard units. The monitoring frequency has been retained from the current LPDES permit, effective on April 20, 2001.

## **VII. TMDL Waterbodies**

Subsegment 040404, New River - Headwaters to New River Canal, is listed on LDEQ's Final 2006 303(d) List as impaired for organic enrichment/low dissolved oxygen and pathogen indicators.

To date, no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL.

Until completion of TMDLs for the Lake Pontchartrain Basin, those suspected causes for impairment which are not directly attributed to this facility type have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated. This subsegment is listed on LDEQ's Final 2006 303(d) List as impaired for non-native aquatic plants. This waterbody is impaired for one or more uses, but other control measures are expected to result in attainment of designated uses.

LDEQ's position, as supported by the ruling in the lawsuit regarding water quality criteria for nutrients (*Sierra Club v. Givens*, 710 So.2d 249 (La. App. 1<sup>st</sup> Cir. 1997), writ denied, 705 So.2d 1106 (La. 1998)), is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. LAC 33:IX.2707.C.f.iii allows the establishment of effluent limitations based on an indicator parameter for the pollutant of concern. LDEQ's consistent approach to controlling nutrients where the WQMP does not otherwise require specific nutrient limitations is achieved by limiting the discharge of oxygen-demanding substances through a BOD<sub>5</sub> or COD and TOC limitations. Compliance with the BOD<sub>5</sub> or COD and TOC limitations as the indicator parameter(s) will result in the control of



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nutrients from the discharge sufficient to attain and maintain the applicable water quality standard.

Effluent monitoring of the indicator parameter(s) as conducted by the permittee in accordance with Part I of the permit in addition to LDEQ's ambient water quality monitoring program will allow for further evaluation by the LDEQ to determine the effectiveness of the limitation. The reopener clause located in Part II of the final permit allows the LDEQ to modify or revoke and reissue the permit if the limitations as set on the indicator parameter(s) are shown to no longer attain and maintain applicable water quality standards.

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#### **VIII. Compliance History/DMR Review:**

A compliance history/DMR review was done covering the period of May 27, 2006 to May 27, 2009.

##### **A. DMR Exceedances Reported**

For August 2007, the facility reported that operations failed to document the pH level of the sample taken for Outfall 001. They also reported this oversight has been discussed with the appropriate personnel, and pH readings will be properly documented in the future.

On June 19, 2008, a sample was collected for Outfall 001 and the daily maximum result for TDS was below the permit limit, but the sample holding time was exceeded. The permittee stated that retraining of employees on water permit sampling would be conducted at the facility.

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<u>Monitoring Period</u>	<u>PARAMETER</u>	<u>OUTFALL</u>	<u>Sample Measurement</u>	<u>Permit Requirement</u>
07-2006	Chlorides	001	289 mg/L daily maximum	250 mg/L daily maximum
09-2006	TSS	001	58 mg/L daily maximum	45 mg/L daily maximum
04-2007	Sulfates	001	184 mg/L daily maximum	75 mg/L daily maximum
09-2007	TSS	001	48 mg/L daily maximum	45 mg/L daily maximum
10-2007	TSS	001	39 mg/L monthly average	30 mg/L monthly average
12-2007	TSS	002	105 mg/L weekly average	45 mg/L weekly average
01-2008	TSS	001	45 mg/L monthly average	30 mg/L monthly average
02-2008	pH	001	9.72 s. u. instantaneous maximum	9.0 s. u. instantaneous maximum
03-2008	TSS	001	32 mg/L monthly average	30 mg/L monthly average
04-2008	TDS	001	632 mg/L daily maximum	500 mg/L daily maximum
05-2008	TDS	001	505 mg/L daily maximum	500 mg/L daily maximum
05-2008	Sulfates	001	203 mg/L daily maximum	75 mg/L daily maximum
09-2008	TSS	001	75 mg/L monthly average	30 mg/L monthly average
09-2008	TSS	001	75 mg/L daily maximum	45 mg/L daily maximum
09-2008	TDS	001	594 mg/L daily maximum	500 mg/L daily maximum
12-2008	TSS	002	50 mg/L weekly average	45 mg/L weekly average
01-2009	TSS	001	34 mg/L monthly average	30 mg/L monthly average

- B. Inspections – The last water permit inspection conducted was a Compliance Sampling Inspection (as part of a Multi-Media Inspection) on January 10-11, 2008, to gather information regarding the process associated with materials received from LDH – Chalmette Gas Plant (and produced into products). This was an EPA/LDEQ joint inspection. EPA took the lead role, and generated the official Compliance Monitoring Report on March 24, 2008. Areas evaluated during the inspection as marginal included records/reports, effluent/receiving waters, and operations & maintenance. Records/reports rated as marginal because Total Recoverable Iron was misreported twice on the DMRs, and for not reporting a Monthly Average on the DMR when the facility only samples once a month. Effluent/receiving waters rated as marginal because of excursions for TSS and Sulfates in 2007. Operations & maintenance rated as marginal because of

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problems with the sewage treatment plant's chlorination system, and a small drip from the secondary containment wall for some process material tanks. This leak does occur outside of the sampling point for Outfall 001.

- C. Compliance History – A file review disclosed that one action has been issued to Gulf Liquids New River Project LLC ("Respondent", now known as LDH Energy Olefins LLC), multi-parish, AI Nos. 83718, 100651, 88152. The action is a September 28, 2007 Settlement (settlement tracking no. SA-ARMP-05-0038; enforcement tracking nos. AE-CN-02-0279 and RMPE-CN-04-0023; docket no. 2005-4162-EQ) in reference to the Respondent owning and/or operating this facility at all relevant times. In 2004, the Respondent voluntarily conducted audits at this facility, met with LDEQ to discuss the operations and procedures conducted at this facility, and provided written correspondence to LDEQ identifying the audit results (from discovering additional compliance issues). The written correspondence (and/or allegedly during file reviews conducted by LDEQ, and by an inspection conducted by LDEQ on October 21, 2002) revealed violations. At the meetings, the Respondent and LDEQ also discussed the resolution of several pending LDEQ enforcement matters (that were made a part of this Settlement). On March 31, 2003, LDEQ issued a Consolidated Compliance Order & Notice of Potential Penalty (CONOPP) (enforcement tracking no. AE-CN-02-0279) regarding this facility. On December 6, 2004, LDEQ issued another CONOPP (enforcement tracking no. RMPE-CN-04-0023) regarding this facility. The Respondent denied it committed any violations or that it was liable for any fines, forfeitures, and/or penalties. The Respondent has reportedly corrected and/or permitted the alleged issues noted from the above-referenced audits, file reviews, and inspections (and all issues cited in the above-referenced CONOPPs). The Respondent has paid the fees associated with this Settlement. Nonetheless, the Respondent (without making any admission of liability under state or federal statute or regulation) agreed to pay, and LDEQ agreed to accept, a payment in the amount of \$109,000.00, of which \$1,714.10 represented LDEQ's enforcement costs, in settlement of all claims, actual or alleged, set forth in this Settlement. The Respondent further agreed that LDEQ may consider the inspection report(s), file reviews, audits, the above-referenced CONOPPs, and this Settlement for the purpose of determining Compliance History in connection with any future enforcement or permitting action by LDEQ against the Respondent. In any such action, the Respondent shall be prevented by legal rule from objecting to the above-referenced documents being considered as evidence of the violations alleged for the sole purpose of determining the Respondent's Compliance History, but the Respondent may present relevant mitigating factors for LDEQ's consideration.

In reference to the January 15, 2009 request by the company to remove the 30 mg/L TSS monthly average discharge limitation for Outfall 001, we deny this request due to the number of TSS exceedances for Outfall 001, as reported in the DMR review covering the period of May 27, 2006 to May 27, 2009.

Considering the company's past compliance history / similar facilities, the facility's recent DMR Review / last water permit inspection, and the best professional judgment of the

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reviewer, it has been determined that the proposed draft permit conditions adequately address the applicant's history of violations.

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrated two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities, and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.

**IX. "IT" Questions - Applicant's Responses**

LDH Energy Olefins LLC, Geismar Fractionation Plant is a minor facility, therefore, IT Questions were not required to be submitted.

**X. ENDANGERED SPECIES**

The receiving waterbody, Subsegment 040404 of the Lake Pontchartrain Basin, has not been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for any species, which are listed federally as a threatened species. Also, this type of discharge is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species, or the critical habitat.

**XI. Historic Sites:**

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

**XII. Tentative Determination:**

On the basis of preliminary staff review, the Louisiana Department of Environmental Quality has made a tentative determination to re-issue a permit for the discharges described in the application.

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**XIII. Variances:**

No requests for variances have been received by this Office.

**XIV. Public Notices:**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public Notice published in:

Local Newspaper of general circulation;

Office of Environmental Services Public Notice Mailing List.